

Glencoe, MN

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**McLEOD COUNTY**

**Employer**

**and**

**Case 18-WH-000019**

**LAW ENFORCEMENT LABOR  
SERVICES, INC.**

**Petitioner**

**CERTIFICATION OF REPRESENTATIVE AS BONA FIDE  
UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938**

On April 1, 2010, Law Enforcement Labor Services, Inc. filed with the Regional Director for Region 18 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. Section 207(b).

On April 13, 2010, the Acting Regional Director for Region 18 served on the parties an Order to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Petitioner is the recognized collective-bargaining representative of the unit employees,<sup>1</sup> the Regional Director recommended to the Board that the requested certification be granted.

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<sup>1</sup> The record indicates that on June 24, 1987 and February 10, 1988, respectively, the State of Minnesota Bureau of Mediation Services issued two Certifications of Exclusive Representative certifying the Union as the exclusive collective-bargaining representative of the employees in the units. In addition, the record includes a copy of the parties' recent collective bargaining agreement, effective from December 23, 2007 through December 18, 2010, which contains a unit description including both of the state-certified units combined into one unit.

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board certifies that Law Enforcement Labor Services, Inc. is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of McLeod County in the following unit:<sup>2</sup>

All Communications Officers, Corrections Officers, Jail Program Coordinator and Jail Corporals within the McLeod County Sheriff's Department who are employed for more than 14 hours per week and more than 67 work days per year, excluding the Sheriff and the Chief Deputy, supervisory and confidential employees.

Dated, Washington, D.C., July 8, 2010.

By direction of the Board:

Lester A. Heltzer

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Executive Secretary

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<sup>2</sup> A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).